



March 13, 2007

Mr. Jeff S. Jordan Supervisory Attorney Office of General Counsel Federal Election Commission 999 E Street, NW Washington, DC 20463

Reference: MUR 5900

Dear Mr. Jordan:

This letter is in response to your letter, dated February 23, 2007 and received, in full, by the Coburn for Senate Committee, on February 28, 2007. Your letter indicates that Citizens for Responsibility and Ethics in Washington (CREW), its executive director, Melanie Sloan, and Bruce Prescott, a registered voter and resident of Oklahoma, have filed a complaint against the Coburn for Senate Committee (Committee) related to the recently released Report of the Audit Division on Coburn for Senate Committee, March 11, 2004 – December 31, 2004.

The complaint outlines the findings of the Federal Election Commission Audit Staff, then requests that the Federal Election Commission: 1) conduct an investigation of the allegations; 2) declare the respondents to have violated federal campaign finance laws; 3) demand that respondents submit amended reports of receipts and disbursements, and; 4) impose sanctions appropriate to these violations.

The Committee believes that the Federal Election Commission and the Committee have already completed everything that has been requested in the complaint:

- 1. The FEC conducted a full investigation in the form of an audit of all records related to the 2004 election cycle. In fact, CREW filed its complaint based on the public release of this investigation.
- 2. In the Audit Report, Part III-Summaries-Findings and Recommendations, the FEC indicated that the Committee failed to file complete reports during the 2004 election cycle, failed to file 48-hour notices and accepted contributions that exceeded contribution limits but did not refund them in a timely manner.
- 3. The FEC did not demand that the Committee file amended reports of receipt and disbursements because the Committee filed all amendments PRIOR to the

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- beginning of the audit. The audit staff did <u>not</u> find that the Committee intentionally shielded the identities of its contributors.
- 4. Because the Committee did not file several 48-hour notices, the FEC has issued an administrative fine in the amount of \$33,170. This fine will be paid by the Committee no later than its due date of March 19, 2007. The audit staff did not find that the Committee intentionally masked the identities of large last-minute contributors.

Based on the fact that the Federal Election Commission has already audited the Coburn for Senate Committee, finalized its findings and imposed sanctions in the form of a fine, and that the Committee has filed all necessary amended reports, we respectfully submit that this complaint has already been fully pursued and answered. We believe that no further action should be taken and request that this matter be closed.

Sincerely,

Wade A. Stubbs

Wale & Stubba

Treasurer